

THE HON'BLE SRI JUSTICE L. NARASIMHA REDDY

W.P.No.19653 of 2005

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Dated 06-09-2005

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Between:

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M/s Manohara Enterprises

Rep.by its Managing Partner V. Shivaji,

S/o.late Krishna Murthy, aged 58 years,

R/o.68-5-2, Lalacheruvu,

Rajahmundry,

East-Godavari District.

...Petitioner

AND

The Secretary , Regional Transport

Authority, Rajahmundry,

East-Godavari District and another

...Respondents

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ORDER:

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The petitioner is the owner of an unregistered Earth Mover of the JCB-ESCORTS make, bearing Chassis No.37087. Through check report dated 23-08-2005, the 2nd respondent seized the same on the ground that it was being used without registration. The petitioner challenges the seizure.

Heard the learned counsel for the petitioner and learned Government Pleader for Transport.

The Motor Vehicles Act and the Rules made thereunder mandate that any vehicle can be put to use, only after it is registered with the concerned registering authority. The petitioner cannot be permitted to use the vehicle before it is registered. Learned counsel submits that the petitioner is taking necessary steps to get it registered.

Inasmuch as no other irregularities are pointed out, the writ petition is disposed of, directing that, the vehicle seized from the petitioner shall be permitted to be produced before the registering authority, for the purpose of registration, and that the petitioner shall be entitled to use the vehicle, or for release of the same, only after it is registered. There shall be no order as to costs.

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L. NARASIMHA REDDY, J.

Dt.06-09-2005

Note: Office to furnish

copy in three days.

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